

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tiecheng A. Qiao, et al

RANDOM ARRAY OF MICRO-
SPHERES FOR THE ANALYSIS OF
NUCLEIC ACID USING ENZYME
DIGESTION

Serial No. 10/098,642

Filed 15 March 2002

Group Art Unit: 1634

Examiner: Betty J. Forman

I hereby certify that this correspondence is being
deposited today with the United States Postal Service
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Laurie A. Wurtz
LAURIE A. WURTZ
January 7, 2004
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FOR
CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration
by the Patent and Trademark Office in regard to the invention claimed in the
above-described application. In compliance with §1.56, such documents are
listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of
record the above-identified documents. Unless otherwise indicated, a full text
copy of each document is attached. For documents not in English, an English
translation or an equivalent English language patent or publication may be
attached. Where a translation is not available, a concise explanation of the
relevance of each document not in English is included either here or in the
specification.

This Information Disclosure Statement (hereinafter "Statement") is
submitted according to the following selected paragraph:

- I. ☐ This Statement is being filed under §1.97(b) within three months of
the filing date of the application (other than a CPA), or before the
mailing of a first Office action on the merits or before the mailing of a
first Office action after the filing of a request for continued
examination.
- II. ☐ This Statement is being filed under §1.97(c), with fee, **prior** to the
mailing date of any of a final action, a notice of allowance or an action
that otherwise closes prosecution in the application. Please charge the
fee required by §1.17(p) to Eastman Kodak Company Deposit Order
Account Number 05-0225. A duplicate copy of this Certification is
enclosed.

III. ☒ This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):

☒ each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

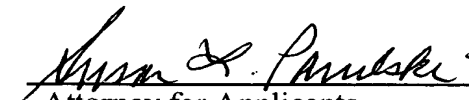
IV. ☐ This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):

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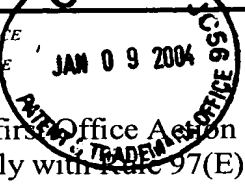
☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

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Enclosures



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| FORM PTO-1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | |  | | | Arty. Docket No. 84027SLP Customer No. 01333 | | Serial No. 10/098,642 | |
| If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee LIST OF ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i> | | | | Applicant: Tiecheng A. Qiao, et al | | | | |
| | | | | Filing Date 15 March 2002 | | Group 1634 | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| Examiner Initial* | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | | |
| | 6,023,540 | 02-08-2000 | Walt et al. | | | 03-14-1997 | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| Examiner Initial* | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| Jane Ferguson, Frank Steemers, David Walt, "High-Density Fiber-Optic DNA Random Microsphere Array", Anal. Chem. 2000, Vol. 72, pp.5618-5624 | | | | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | |